

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of L.G. DE'SHAWN and
D'CHRISTAFOR SANTINO WARTS, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
August 15, 2006

Petitioner-Appellee,

V

GERALD WARTS,

Respondent-Appellant.

No. 268277
Wayne Circuit Court
Family Division
LC No. 03-424876-NA

Before: Whitbeck, CJ., and Hoekstra and Wilder, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating his parental rights to his minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that at least one of the statutory grounds for termination was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence at trial indicated that little had changed in the two years and three months since respondent's children were removed from his care. Respondent failed to obtain consistent, stable housing, continued to test positive for the use of drugs, and had failed to complete therapy surrounding his excess disciplining of his children.

Further, the evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although the testimony indicated that the children loved respondent, respondent's minimization of his culpability in abusing the children and failure to attend counseling to address the issue rendered placing the children in his care contrary to their best interests.

Affirmed.

/s/ William C. Whitbeck
/s/ Joel P. Hoekstra
/s/ Kurtis T. Wilder